

### **REMARKS**

The above amendments and remarks are made to the put the above referenced application in condition for allowance. The pending claims are Claims 1-3, and 5. Claim 4 was previously cancelled. Claims 6-29 are currently cancelled.

Claim 1 has been amended to specify that x is an integer from 1 through 3, and that b and d are integers. No new matter is introduced.

The Examiner's rejections of the claims are addressed below.

#### **Rejections under 35 U.S.C. § 102 (b)**

**EP 0 564 224 (Nakada); Tetrahed. Lett. 40 (1999) (Dietrich-Buchecker); and  
US Patent No. 4,853,090 (Daniel)**

Claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by the above three cited references. Applicants respectfully submit that the amendments to Claim 1 have overcome these rejections.

Claim 1 was amended to specify the R<sup>1</sup> group as a substituted phenyl and substituted biphenyl having at least one substituent selected from F, C<sub>n</sub>H<sub>a</sub>F<sub>b</sub>, OC<sub>n</sub>H<sub>a</sub>F<sub>b</sub>, C<sub>6</sub>H<sub>c</sub>F<sub>d</sub>, and OC<sub>6</sub>H<sub>c</sub>F<sub>d</sub>, wherein b and d are integers. Thus, the phenanthroline derivative, as currently claimed, has at least one fluorine or fluorinated substituent. Such compounds are not disclosed or suggested (either individually or together) by Nakada, Dietrich-Buchecker, or Daniel.

Applicants request that the 35 U.S.C. § 102(b) be withdrawn.

#### **Rejections under 35 U.S.C. § 112, Second Paragraph**

Claims 2, 3, and 5 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Claims 2 and 3 were rejected for for having insufficient antecedent basis. Applicants respectfully submit that the proposed amendments address and overcome these rejections.

Claim 5 was rejected based on compound I(e) (originally filed as "II(e)"). Compound I(e) has been deleted from Claim 5. Applicants respectfully submit that the proposed amendment addresses and overcomes this rejection.

Applicants request that the 35 U.S.C. § 112 be withdrawn.

**Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully submit that the above referenced application is in condition for allowance and a notice of allowance is earnestly requested.

Respectfully submitted,



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